

EXHIBIT A

DUFFYAMEDEO LLP

A NEW KIND OF LAW FIRM.

VIA E-Mail Only

December 4, 2018

The Honorable Frank Maas (Ret.)
c/o Jams, Inc.
620 Eighth Avenue, 34th Floor
New York, NY 10018

Re: Picard v. HSBC Bank PLC, *et al.*, Adv. Pro. No. 09-01364 (SMB)
Jams Reference No. 1425025754

Dear Judge Maas:

This office represents Alpha Prime Fund Ltd ("Alpha Prime"). On November 7, 2018, the parties met with you to discuss various discovery disputes raised by the Trustee's counsel. One of those issues related to a server that hosted Alpha Prime's emails. During our discussions, the Trustee's counsel stated that they would be seeking a Rule 30(b)(6) deposition from Alpha Prime with respect to the October 2007 breakdown of Alpha Prime's server. Although we have not received a notice of a 30(b)(6) deposition from the Trustee's counsel, Alpha Prime has attempted to take steps to prepare for the Trustee's request, which it believes will be forthcoming.

As you may recall, the entity who was responsible for maintaining Alpha Prime's email server was a third-party vendor called Project Partners. However, Alpha Prime has since learned that although Project Partners was responsible for hosting Alpha Prime's email, it did so through its contractual obligations to BAWFM. Project Partners hosted, not only Alpha Prime, but also hosted approximately ten (10) clients on one RAID-5 server. The data from all of its clients was spread out throughout the entire server. Alpha Prime's data was not segregated in the server.

The email office@alphaprimefund.com began its existence in 2007. There was a breakdown of the RAID-5 server in October 2007. Initially, Project Partners attempted to fix the ailing server with the help of software called 3-Ware. Those attempts, however, were unsuccessful. At that point, Steurer CC took over all recovery efforts.

In our discussions with representatives of Project Partners and Steurer, they explained that they remembered that, at that time, they had a business relationship with Project Partners since 2003 where they were called in on a case-by-case basis. They do recall the server breakdown and helping Project Partners for 2-3 days to restore/recover the Alpha Prime data. Once Steurer and Project Partners had determined that they had recovered all possible data for Project Partner's clients including Alpha Prime, the recovered data was placed on a new server. Project Partners determined that the RAID-5 server no longer functioned at all and disposed of the server and replaced it with a new RAID-1 server. Whatever data they were able to recover for Alpha Prime and the other clients was reinstalled on the new server. Finally, at the end of 2008, Alpha Prime was out of money and could no longer afford to pay the fees associated with the upkeep of the email server. Accordingly, the existing data was transferred to two DVDs and has been preserved since that time. Once the data was transferred to the DVDs, in accordance with the applicable data protection laws and regulations, Project Partners deleted all Alpha Prime

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data from its server, which was standard procedure at that time.

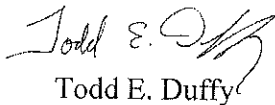
In the past, the Trustee has stated that many of the emails are missing attachments. Steurer confirms that the automatic detachment of attachments on outgoing emails was a pre-set default feature of the Webmail Client. This feature was set up in the actual server by Project Partners. The option to change it was not in any particular menu, but was only visible if the sender of the email actively scrolled down the screen prior to sending the email. Typically, no user does this or even knows that this is an option.

During discussions with Alpha Prime's representatives, Alpha Prime requested that someone from Steurer and Project Partners voluntarily testify at a deposition. They have refused our request.

I am currently in possession of the original letters sent to Alpha Prime by Project Partners, including a letter from Steurer to Project Partners. Since those letters are in German, I am in the process of obtaining certified translations. Once I have the translations, I plan to produce them to the Trustee's counsel. Of course, we expect that the Trustee's counsel will ask questions relating to these events at the deposition of one or more of Alpha Prime's directors. We have no problem with that.

In addition to the deposition as described above and as discussed during the proceeding, Alpha Prime and the Trustee will agree upon an expert to analyze the 2 DVDs mentioned above. Please let me know if you require any further information.

Respectfully,



Todd E. Duffy

cc: Oren Warshavsky, Esq. (via email)
Kristin Maccubbin (via email)